

examination certainly is nothing to call for an opinion from her about.

COURT: Objection sustained.

Q About ten o'clock, what do you mean, you heard shots fired or you left your home, or what?

A Left my house.

Q About ten o'clock? A No, sir.

Q What time did you leave your house?

A I left some time before nine.

Q How far is it from your house to the place where you heard the shots?

A Two and a half miles.

Q And did it take you an hour to go two and a half miles on your mule?

A Yes, it would take me, to follow a wagon. I couldn't work any faster than the wagon did. Besides that I came back the lane and walked back to where the brush was.

Q From the time you left your house was it bright moonlight?

A No, sir, it was not, it was dark.

Q When did the moon conveniently come out?

A About the time I left the second time.

Q The second time? A Yes, sir.

Q So that when you saw figures the first time you saw figures, the two in the road, there was no moon?

A No, sir.